

Draft Minutes Detroit Board of Police Commissioners

Date of Meeting: February 7, 2019 – 3:00 PM

Location: Detroit Public Safety Headquarters, 1301 Third Street, Detroit, MI 48226

BOPC Chairman Willie Bell called the BOPC Board Meeting to order at 3:00 PM (February 7, 2019)

Detroit Police Commission Membership / Attendance	Attend	Not-Attend
Willie E. Bell, Chairperson	Yes	
Darryl D. Brown, Vice Chairperson (6:50 PM)	Yes	
Lisa Carter	Excused	
Elizabeth Brooks	Yes	
Eva Garza Dewaelsche	Yes	
Shirley A. Burch	Yes	
Willie E. Burton	Yes	
William M. Davis	Yes	
Jim Holley	Yes	
Evette Griffie	Yes	
Vacant	N/A	
Quorum (Yes)	9	

The Board acting in accordance with its rules approved the Agenda for February 7, 2019.

**The Board acting in accordance with its rules approved the following Board Minutes:
Thursday, January 31, 2019**

Board of Police Commissioner Chairman Willie Bell: Chairman Bell welcomed attendees to the meeting and asked for introductions of Commissioners, BOPC and DPD staff and other elected and civic representatives.

Chairman's Report: Chairman Willie Bell said, Good Afternoon. I am Police Commissioner Willie Bell, I represent District #4. I serve as Chair of the Board and will be conducting our meeting today. On behalf of the Board, for those in attendance, thank you for joining us. For people viewing this meeting on your government cable channel, thank you for viewing our meeting. I want to ask for a moment of silence to acknowledge the off-duty death of Police Officer Donald Hiatt, Badge # 3007 assigned to the 4th Precinct. We will take up a resolution honoring Police Officer Donald Hiatt under resolutions. Detroit Chaplain Arthur Berry, Sr. provided the invocation.

Chairman's Report – Willie Bell, said "On behalf of the Board, I want to express our concern and support for fallen and injured officers. Our concerns for officer safety and citizen protection is ranked as two of the most important priorities of the Board. Our Board receives a weekly report from the Department listing injured officers. I would ask the Chief of Police during his remarks to provide us with any additional information related to injured and fallen officers.

The Board of Police Commissioners meets every week except for the Thanksgiving and Christmas Holiday periods. We meet at Police Headquarters 3 weeks in the month on Thursdays at 3:00 PM. We also meet in the community every 2nd Thursday of the month at 6:30 PM. Under the Detroit City Charter, Article 7, Chapter 8, the Board of Police Commissioners is empowered to provide civilian oversight and supervisory control of the Police Department. Our citizens are justified in asking "How does civilian oversight of law enforcement help you as a citizen within our community?" Our answer is, we protect the civil rights of citizens. Oversight organizations like the BOPC are at the forefront of investigating, reviewing and auditing individual cases of citizen complaints and patterns of operations by police agencies to eliminate misconduct, discriminatory police practices and unnecessary use of force by police. Our work is based on developing and supporting effective policing. Mutual trust and respect between the police and the community is critical toward increasing the quality of life for residents and visitors to Detroit. The Board of Police Commissioners exists to provide civilian oversight for the work of the Detroit Police Department. As a Board, we receive and investigate non-criminal citizens' complaints, monitor the operations of the Department and work with the Mayor and the Chief of Police to make or modify police policy.

I want to point to several important items for your consideration. The Board is continuing to work with NACOLE (National Association for Civilian Oversight of Law Enforcement) to host in Detroit the National Conference in September 22-26,

2019. During the same time Detroit will be celebrating our 45th year as a civilian oversight organization. I will repeat this message several times as we approach the September conference. We are inviting law-enforcement and other civic minded individuals and organizations to join us at the conference. The planning process is well underway, and again we invite your participation. I want to report on the recent Board meeting held by NACOLE'S National Board over the weekend. NACOLE'S Board was in Detroit to plan the conference Friday thru Sunday. The Board looked at the conference schedule and other items related to the conference. I remind Board members that in the month of March, 2019 our plans are to conduct two community meetings. The first will be on March 7th at Western International High School at 1:30 PM. Also, we will have our regular community meeting in March on March 14th in the 9th police precinct (correction 2/8/2019, Downtown Services).

I want to remind the Board this is the first meeting in the month of February, Black History Month. Over the course of Black History Month, I will try to highlight some of the critical developments in Detroit and its relationship to Black History. According to the Walter Reuther Archives, a four-member Police Commission was appointed by Michigan Governor Austin Blair in March 1861. Uniform officers appeared on the streets of Detroit in 1865. According to W. Marvin Delaney in his book *Black Police In America*, Mr. Delaney states that in 1890 Joseph Stowers was appointed as the first African American to the Detroit Police Department. Records show that P. O. Stowers only lasted 2 months and was removed for some unknown reason. The next appointment of an African American was L. T. Toliver in 1893. Records show that Toliver went on to serve a brilliant career as a police officer opening the doors for other African Americans. Also of note in 1893 was the appointment of Marie Owen, the first female officer. The Detroit's police department was the first department to use automobiles for patrol and was first to use radio dispatch technology.

This notwithstanding, according to the Reuther Archives, the Detroit Police Department had a history of recruiting white southerners who played an important role in keeping Black residents in check. Over the course of the Department's history with its citizens, there has been many controversial operations and units in the Department including the BIG-4, the notorious S.T.R.E.S.S. unit, and later a series of events leading to the Department of Justice Consent Order related to the unlawful use of force and the confinement of prisoners. These problems and issues also lead to a variety of reforms including the election of the first Detroit African American Mayor, Coleman A. Young and his commitment to hire a police force that reflect the image and cultural diversity of Detroiters. We also saw reforms in the city's most basic governance document, the Detroit Charter that created the modern Board of Police Commissioners and provided for civilian control and oversight of the Detroit Police Department. Again, over the course of this month, we will be returning to the issues and problems that has made the Detroit Police Department a Department that continues to move in the direction of racial justice. Detroit, like our nation has not achieved full racial harmony and has not closed the gap between economic and social injustices. Even with our current state of affairs and with the many examples of Black heroism, we should continue to work toward fair and just treatment of all citizens including those who live in under-developed communities.

Today on our agenda we will take up two resolutions, one for P. O. Donald Hiatt and for the retirement of Captain Mark Thornton. We have three presentations. The first presentations will be from Mr. Darnell Blackburn, District Field Representative of the Michigan Commission on Law Enforcement Standards (MCOLES). I have asked staff to distribute in advance of this meeting a copy of the standards that MCOLES use to set training standards and certify officers. I am sure that Mr. Blackburn will share with us how MCOLES operates and some of the most pressing issues related to certification, recruitment and monitoring police agencies. The second presentation is from the Detroit Ombudsman, Bruce Simpson. Ombudsman Simpson has asked to address the Board as another arm within city government that seeks to resolve issues and concerns for citizens. The third presentation is our monthly report from BOPC's Chief Investigator, Dr. Polly McCalister. This report was rescheduled from our January 31, 2019 meeting.

We will also have our regular report from the Chief of Police. The Chief will review some of our current crime statistics and update us on any additional police personnel with injuries in the line of duty. I also ask the Chief to update us on any critical issues facing the Department. Specifically, I ask the Chief to report on the recent incident involving two officers who stopped a resident for an expired tag and went on SNAPCHAT to voice some disturbing and insulting comments. Additionally, these officers most importantly may have disregarded their duty and violated police policy after impounding her car and forced her to walk home in the most oppressive weather in Detroit's history. Clearly, as a Department we can treat our citizens better. As a Board we are interested in any disciplinary actions that you have or will take in this matter. I will also ask the Chief to update us on the recent discovery of human cremated remains at the Howell Funeral Home. Finally, I ask the Chief to comment on the recent report of a stolen police vehicle and our policy to protect police property.

Toward the end of the meeting we will have oral communications from the audience. Please make sure you print your name on a speaker's card. Cards are located in the back on the table or can be obtained by seeing Mr. Robert Brown. He will need your card before the beginning of public comments. We will hold each speaker to the allotted 2 minutes.

Resolutions: Captain Mark Thornton (retirement) and Police Officer Donald Hiatt (Posthumously)

Commission Shirley Burch read into the record a resolution acknowledging the service of Captain Mark Thornton.

RESOLUTION HONORING RETIRING CAPTAIN MARK THORNTON

- WHEREAS** Mark A. Thornton was appointed to the Detroit Police Department on July 28, 1986. Upon graduating from the Detroit Metropolitan Police Academy, Officer Thornton began his career at the Mini Station Section; and
- WHEREAS** Officer Thornton's assignments with the Detroit Police Department included the Fifth Precinct, Crime Prevention Section, and the Sixth Precinct Investigative Operations Unit; and
- WHEREAS** Officer Thornton displayed tremendous knowledge and leadership skills as a Police Officer and was promoted to the rank of Investigator on March 21, 1997. As Investigator, he was reassigned to the Sixth Precinct Investigative Operations Unit. On March 24, 1998 he was promoted to the rank of Sergeant. He was transferred from the Sixth Precinct Investigative Operations Unit to the Commercial Auto Theft Section. He also served the Thirteenth Precinct Investigative Operations Unit, Eastern Operations Bureau, Northwestern District, Crime Analysis, and the Eighth Precinct; and
- WHEREAS** Sergeant Thornton was promoted to the rank of Lieutenant on November 22, 2013 and was assigned to Criminal Investigation Unit, first as the officer in charge, and later served at the Fifth Precinct Investigative Operations Unit. On April 11, 2016 Lieutenant Thornton was appointed to the rank of Captain, where he served as the Night Command commanding officer, and at the Ninth Precinct where he served until his retirement; and
- WHEREAS** Captain Thornton was the deserving recipient of the following awards: Lifesaving Citation and Medal, Chief's Unit Award, Fireworks Award, both Consent Judgment Awards, two Chief's Merit Awards, two Perfect Attendance Awards, the Major League Baseball All-Star Recognition Award, the Rosa Parks Funeral Recognition Award, and the Super Bowl XL Recognition Award, as well as numerous letters of commendation from citizens and superiors; and
- WHEREAS** Captain Thornton has tirelessly served the Detroit Police Department, the citizens of Detroit and its neighboring communities for 32 and half years. He has served the Detroit Police Department and the citizens of the City of Detroit with loyalty, professionalism, integrity and dedication, and is widely respected throughout the law enforcement community as the consummate professional.

NOW THEREFORE BE IT RESOLVED That the Detroit Board of Police Commissioners, speaking on behalf of the citizens of the great City of Detroit recognize and honor the lifelong contributions and commitment to excellence in public service of Captain Mark Thornton. His display of courage and unwavering community spirit has improved the quality of life for the citizens of Detroit. We wish you all the best in your future endeavors. We thank and congratulate you, Captain Mark A. Thornton.

MOTION: Commissioner Eva Dewaelsche moved the resolution to honor the service of retiring Captain Mark Thornton.
Second, Commissioner William Davls

VOTE: Yes = 9 No = 0 Absent = 1 MOTION APPROVED

Commission Evette Griffie read into the record a resolution honor the service and death of Police Officer Donald Hiatt, Badge #3007 (Posthumously).

RESOLUTION HONORING POLICE OFFICER DONALD HIATT (POSTHUMOUSLY)

- WHEREAS** Mr. Donald Hiatt was appointed to the Detroit Police Department on July 11, 2008. Upon graduating from the Metropolitan Police Academy, Officer Hiatt began his career at the Southwestern District (Fourth Precinct); and
- WHEREAS** Officer Hiatt dutifully served the Southwestern District which is known as the Fourth Precinct, his entire career. On Wednesday, February 6, 2019, after ten plus years of service, Police Officer Donald Hiatt, Badge 3007 passed away; and
- WHEREAS** Officer Hiatt was the deserving recipient of a Fireworks Award, both Department of Justice Consent Judgment Awards, the Rosa Parks Funeral Recognition Award, a Major League Baseball All-Star Recognition Award, the Super Bowl XL Recognition Award, and numerous letters of commendation from citizens and superiors; and
- WHEREAS** Officer Hiatt tirelessly served the Detroit Police Department, the citizens of Detroit and its neighboring communities with unwavering devotion. His commitment to public service, integrity, and dedication were a credit to the Detroit Police Department.

NOW, THEREFORE, BE IT RESOLVED That the Detroit Board of Police Commissioners, speaking for the citizens of Detroit and the Detroit Police Department, award this resolution posthumously in recognition of Police Officer Donald Hiatt's ten plus years of dedicated and diligent public service. His professionalism, integrity, and standard of commitment to the city of Detroit and its citizens merit our highest regards. We salute you Police Officer Donald Hiatt for a job well done. **DETROIT BOARD OF POLICE COMMISSIONERS**

MOTION: Commissioner Eva Dewaelsche moved the resolution to honor the service of retiring Captain Mark Thornton.
Second, Commissioner William Davis

VOTE: Yes = 9 No = 0 Absent = 1 MOTION APPROVED

COP Police Report: Chief of Police James E. Craig reported that crime is continuing to trend downward as against last year, but that the numbers fall within the first quarter and are small in comparison. He indicated that the start of this year is better than the previous year. COP Craig reported on CompStat data for the reporting period ending February 3, 2019. COP Craig reported percentage change between 2018 and 2019, -25% decrease in Homicides, Sexual Assaults 10% increase, Robbery -9% decrease, Carjacking 58% decrease, Aggravated Assaults 2% increase, non-fatal shootings 4% increase, Burglary -10% decrease, Larceny -20% decrease, Stolen Vehicle -3% decrease and Part 1 offenses -9 decrease. COP Craig indicated the Department currently has two investigations underway in connection with Officers Gary Steel and Michael Garrison. The first investigation is into the conduct of the officers and the second is an environmental investigation to determine the incident is isolated to the officers or part of a pattern within the local police precinct. Chief Craig indicated he would give a copy of the environmental audit to the Board in about three weeks; two weeks to complete the investigation and an additional week to write the report. Chief Craig also discussed the case wherein human cremated remains were found in the Ramsey-Howell Funeral Home in the Dexter-Fenkell community. Craig indicated that the information came as a tip and the Department discovered more than 30 boxes containing cremated remains. Craig also discussed a recent incident involving a stolen police patrol car and indicated the property and the suspect was apprehended within minutes of the incident. Chief Craig also responded to concerns that he holds the position of Chief of Police and Deputy Mayor. Craig explained that his duties as Deputy Mayor only becomes in effect when the Mayor is out of town or unable to function. Craig indicated that during the week wherein the Mayor has been out of town no emergency incident have occurred that required his time and that he has operated 100% as the Chief of Police.

Presentations to the Board: (A) Michigan Commission on Law Enforcement Standards (MCOLES), Mr. Darnell Blackburn, District Field Representative, MCOLES, (B) City of Detroit Ombudsman Bruce Simpson, (C) Office of the Chief Investigator Monthly report, Dr. Polly McCallister.

(A) Michigan Commission on Law Enforcement Standards (MCOLES), Mr. Darnell Blackburn, District Field Representative, MCOLES. Mr. Darnell Blackburn provided an overview of the operations and authority of MCOLES and highlighted two public acts associated with MCOLES. Public Act 289 of 2017 entitled Licensing Standards for Michigan Law Enforcement Officers, effective January 2, 2017, included the licensing standards for Michigan Law Enforcement Officers include age requirements, citizenship, education, prohibited criminal requirements, fitness, driver's license, physical ability, hearing, psychological fitness, vision training, finger printing oral interview and drug testing requirements. Public Act 128 of 2017 entitled Separation Records, effective January 15, 2018 imposed a duty on law enforcement agencies to share information relation to officer separations from service.

(B) City of Detroit Ombudsman Bruce Simpson expressed his growing concern as Ombudsman about racial tension with Detroit and suggested that the City have a plan to confront possible uncontrollable citizen tension. Ombudsman Simpson highlighted 3 historical events of racial tension and two incidents that involved his office.

(C) Office of the Chief Investigator Monthly report, Dr. Polly McCallister. Dr. McCallister reported from December 2017 to December 2018 OCI accepted and processed 1,151 citizen complaints, 68 cases on average per person. McCallister also reported on the cost of litigation, and the Think Before You Speak Training Program by OCI, McCallister also reported that OCI has received 81 complaints in December 2018 as compared to 60 in 2017, Allegations by use of profanity, incident involving "hit & run" incidents, and electronic evidence (Body Worn Cameras and Electronic Control Weapons). McCallister also reported on false allegations via Body worn Cameras. Below, please see a table for closed December 2018 Citizen Complaints.

82 OCI CCRs CLOSED - DECEMBER 2018

117 ALLEGATIONS' FINDINGS							
Allegation	Total	Admin_ Closure (25%)	Exonerated (10%)	Inconclusive (21%)	Sustained (17%)	Unfounded (26%)	
Arrest (2%)	2	1	0	0	1	0	0
Demeanor (31%)	36	2	1	14	5	14	0
Entry (0%)	0	0	0	0	0	0	0
Force (4%)	5	1	0	4	0	0	0
Harassment (6%)	7	2	0	0	1	4	0
Procedure (41%)	48	16	7	5	11	9	0
Property (3%)	4	2	2	0	0	0	0
Search (2%)	2	0	1	1	0	0	0
Service (11%)	13	5	1	1	2	4	0
Total (82 CCRs Closed)	117	29	12	25	20	31	0

BOPC Standing Committee Reports: None.

Report from Secretary to the Board: None.

New Business: None.

Announcements: Next BOPC meeting – February 14, 2019, 6:30 PM Ford Resource and Engagement Center (15491 Maddelein St. Detroit, 48216). Next month community meeting March 7, 1:30 PM Western International High School, 1500 Scotten Street, Detroit 48209.

Oral Communications: Ms. Elena Herrada complained about the Department practice of towing cars because of expired insurance. Mr. Eric Blount complained about the city dancing around the issues of race and police response time. Rev. Bill Killerman expressed his concerns about active racism and the incident involving the officer use of SNAPCHAT. Ms. Lori Parks complained about the Chief of Police wearing two hats. Ms. Wilcoxson complained about the Chief of Police holding two positions. Ms. Michelle George supported the recent use by the Department to waive towing fee for the incident involving the officers and SNAPCHAT and concerns about issues of race within the Department. Ms. Joann Warwick expressed her concern about the Chief of Police holding two positions and police response time and the use of the Detroit Land Bank to take homes. Mr. Tom Choske encouraged transparency and suggested the City share data related to response time. Mr. Scotty Bowman expressed his concerns of a conflict of interest between the two positions currently held by COP Craig.

PUBLIC STATEMENT SUMMITTED TO THE RECORD: 2/7/2019, AS SUBMITTED *“Just like our nation and state are founded on the principles of separation of church and state, so too the principle of separation of the civilian and military or police arm should be maintained. Furthermore, our police officers need to study and honor our US & Michigan Constitution and Detroit Charter as well as the Statutes Laws and Ordinances passed by the legislative bodies. The police impounded cars illegally by enforcing parking (non moving violations) tickets that were written for \$45, when until about a year ago the Legislated fine by the Detroit City Council was \$30 not \$45. Citizens below the poverty line were left without a car, and without a way to get to their jobs outside of Detroit. I’m tired of a police state and a government who prays on the people, treats the people like animals when incarcerating them at Nevada & Mound with no beds, no heat, & food one is afraid to eat. I’m tired of a government that allows bldg security systems to make up rules that I can’t take my vaporizer into the CAYMC bldg, after Michigan citizens voted to legalize marihuana, let alone that this has been legal for Detroit adults for years. I’m tired of a Police Chief who encourages citizens to arm themselves and carry guns, when the research shows that arming citizens increases Gun deaths, in the home. Our police would set a good example if they were versed in our constitution, laws, conflict resolution and empathy, and were unarmed instead of armed. Try night sticks instead. Start in Midtown and Downtown.” Submitted by Cindy Darrah, 492 Peterboro, Detroit, Michigan 48201*

Commissioner Bell requested a vote of confidence for Detroit Police Chief James Craig as evidence of the outstanding work performed by the Chief and the Department

VOTE OF CONFIDENCE: No Objections to the vote of confidence indicated or recorded, MOTION APPROVED

Motion to Adjourn at 5:30 PM. Adjourned.